

Year of Call: 1998
Practice Areas: Personal Injury, , Clinical Negligence, Inquests, Regulatory, Group Litigation
Email: clerks@cobden.co.uk

*"An exceptional trial advocate."
"He's very approachable and clients really like him."*



Chambers and Partners (2020)

"A skilled negotiator who is always meticulously prepared."

Legal 500 (2021)

Profile

Michael Jones specialises in insurance and personal injury litigation. The majority of his practice involves catastrophic personal injury work with a particular emphasis on traumatic brain injury and amputation cases. He acts for both Claimants and Defendants.

Michael conducts a large number of round table meetings, mediations and way forward meetings each year. His recent settlements on behalf of Claimants include a capitalised award in a TBI case exceeding £10 million (£4 million lump sum and PPO of £320,000) and a lump sum award in a TBI case caused by a stabbing incident, arising from clinical negligence, in the sum of £5.4 million.

Michael has longstanding experience in defending large group litigation cases, including the *Sonae Group Litigation* brought by 18,000 claimants and valued at £100 million, in which all claims and the subsequent appeal were dismissed. He is instructed in the ongoing *Chirk Nuisance Group Litigation* in the High Court.

Michael has a significant practice in pain cases, primarily for Defendants. He also acts for insurers in recovery actions for property damage, primarily following fire or flooding.

He has considerable experience in Prisons litigation including Jury and Article 2 Inquests. He has an extensive knowledge of Coroners' law from his time as Junior Counsel to *The Shipman Inquiry*.

Michael is a regular contributor to Chambers' seminar programme, most recently on the topics of brain injury litigation and amputation cases, together with the prosthetist John Sullivan.

Michael has been listed in the main legal directories since 2003.

Appointments

AG's Panel of Junior Counsel to the Crown - 2012

AG's Panel of Junior Counsel to the Crown - 2007

Shipman Inquiry - Counsel to the Inquiry - 2001 - 2004

Testimonial Quotes

Chambers & Partners 2022

Michael Jones is principally instructed in severe brain injury cases, representing both claimants and defendants. He also undertakes a wide range of other work, including claims relating to industrial disease and chronic pain. Regularly acts on behalf of major insurers as well as government bodies. He is particularly experienced in the handling of group litigation claims.

Strengths: "He is outstanding and able to deal with work ranging from highly complex, multimillion-pound injury litigation down to smaller-value matters. He treats every case with the same level of skill and is always meticulously prepared. He is exceptional in conference with experts and great on his feet."

Chambers & Partners 2021

Principally instructed in severe brain injury cases, representing both claimants and defendants. He also undertakes a wide range of other work, including claims relating to industrial disease and chronic pain. Regularly acts on behalf of major insurers as well as government bodies. He is particularly experienced in the handling of group litigation claims.

Strengths: "He is always clear, concise and very good on his feet." "Michael is very personable and excellent with clients. He's pragmatic, achieves good outcomes and is a safe pair of hands."

Chambers & Partners - UK Bar 2020

"Principally instructed in severe brain injury cases, representing both claimants and defendants. He also undertakes a wide range of other work, including claims relating to industrial disease and chronic pain. Regularly acts on behalf of major insurers as well as government bodies. He is particularly experienced in the handling of group litigation claims."

Strengths: "An exceptional trial advocate." "He's very approachable and clients really like him."

Legal 500 2021 & 2020

"A skilled negotiator who is always meticulously prepared."

Legal 500 2019

"Very personable, with impressive knowledge across the personal injury spectrum."

Chambers & Partners - UK Bar 2018

"Principally instructed in severe brain injury cases, representing both claimants and defendants. He also undertakes a wide range of other work, including claims relating to industrial disease and chronic pain. Regularly acts on behalf of major insurers as well as government bodies. He is particularly experienced in the handling of group litigation claims."

*"He is just somebody you want on your side. He has a brilliant mind, always sees the bigger picture and has a fantastic eye for detail."
"He is extremely quick, organised, thorough and very articulate."*

Recent work: Instructed in a group action brought by 16,626 claimants following a large fire."

Chambers & Partners - UK Bar - 2017

Principally instructed in severe brain injury cases, representing both claimants and defendants

Strengths "The law and advocacy just come naturally to him: he doesn't need to put on a show, he just gets the job done." "A top-notch junior."

Legal 500 2017:

"A strong negotiator"

Chambers & Partners - UK Bar - 2015:

Recognised for his breadth of knowledge in catastrophic injury claims. He conducts cases on behalf of both claimants and defendants

Strengths: "He is an outstanding junior doing high-quality work.

"He leaves no stone unturned, is great with experts, is very approachable and good on his feet. He is a real fighter".

Legal 500 - 2014:

"Primarily undertakes high-value cases involving complex expert evidence.

Mr Justice Jay described his cross examination in the Sonae Group Litigation [2015] EWHC 2264 (QB) as

"Expert, patient" and "well constructed".

Notable Cases

Sonae Group Litigation

First Instance [2015] EWHC 2264 (QB)

Court of Appeal [2016] EWCA Civ 1245

Claim for personal injuries brought by 16,626 Claimants following a large fire.

GLO made by Hamblen J. in July 2012 on Defendant's application.

Claim valued by claimants at £100 million.

Claims all dismissed.

Permission to appeal refused at oral hearing before Court of Appeal

Instructed by Defendant's insurers

Led by Michael Kent QC

JSH v PC NHSFT

Joint Settlement Meeting

Claimant sustained a severe traumatic brain injury.

The main issues at the JSM were the cost and provision of future care, accommodation and deputyship costs

Damages agreed at £5.4 million

Against Angus Moon QC

Instructed by Claimant

Knight v White

Interim Payment Application

Claimant sustained a severe traumatic brain injury and currently living in a residential care setting. Further interim payment ordered in the sum of £250,000, to bring total interim payments to £1.63 million.

Against James Rowley QC

Instructed by Claimant

knight_v_white.pdf

DW Sports Group Litigation

Claim for personal injuries brought by 72 Claimants
GLO made by HHJ Wood QC in February 2014 on Defendant's application
Claims discontinued on confidential terms
Instructed by Defendant's insurers

PB v SW

Joint Settlement Meeting
Claimant sustained catastrophic neurological injuries.
Liability agreed at 2/3Quantum agreed at lump sum of £2,250,000 + PPO of £124,000 - 100% lump sum equivalent £8.6 million
Led by Chris Melton QC
Instructed by Claimant

Rowell v Rowell

Joint Settlement Meeting
Claimant sustained below knee amputation and claimed damages of £2.16million, including six separate prosthetics.
The main issues at the JSM were the cost and provision of future prosthetics and loss of earnings.
Damages agreed at £950,000
Instructed by Defendant

Begum v Luty

Joint Settlement Meeting
Claimant Claimed £2.15 million primarily for care and single storey accommodation
Quantum agreed at £420,000
Instructed by Defendant

Marshall v Kybotech Limited

Joint Settlement Meeting
Claimant sustained upper limb amputation and claimed damages of £2.056 million, including the cost of a *Michelangelo* hand prosthesis
The main issues at the JSM were the cost and provision of future prosthetics and lost earnings from a career in professional golf
Damages agreed at £950,000
Instructed by Defendant

Phillipson v Semeniuk

Joint Settlement Meeting
Claimant sustained lower limb amputation and claimed damages of £1.963 million, including a range of prosthetics.
The main issues at the JSM were the cost and provision of future prosthetics, accommodation, care and assistive technology (which was agreed at nil)
Damages agreed at £985,000
Instructed by Defendant

Wingrave v Taverner

Joint Settlement Meeting
Claimant sustained lower limb amputation and claimed damages of £1.589 million, including the cost of a *Genium* knee prosthesis
The main issues at the JSM were the cost and provision of future prosthetics, accommodation and care
Damages agreed at £1.16 million based on the *Kenevo* knee prosthesis
Instructed by Defendant

Watts v Wilson and Liverpool Victoria Insurance Company

Joint Settlement Meeting

Claimant sustained severe traumatic brain injury and claimed damages of £1.2 million

The main issues at the JSM were the cost and provision of future care and case management and liability under sections 151(7)-(8) of the Road Traffic Act 1988

Damages agreed at £176,000

Instructed by Defendant

Bowden v Adler and Allen Limited

Joint Settlement Meeting

Claimant sustained severe burn injuries and claimed damages of £1.6 million

The main issues at the JSM were the cost and provision of future care and case management, accommodation and future loss of earnings

Claimant accepted the Defendant's Part 36 offer made following the JSM in the sum of £760,000

Instructed by Defendant

Lawton v Kinder Mountain Rescue Team

Liability trial - 4 days

Claimant sustained serious spinal injuries following uncontrolled descent in a mountaineering exercise

Claim dismissed

Claimant consented to dismissal after his expert witness accepted the Defendant's case on the last day of the trial

Instructed by Defendant

Wormald v Ahmed

Liability trial - 3 days

Claimant sustained catastrophic spinal and brain injuries in a road traffic accident

Claim valued by Claimant at £8 million

Judgment 60:40% apportionment in Claimant's favour

Instructed by Defendant

Led by Winston Hunter QC

Harris v Peet

Joint Settlement Meeting

Claim by elderly tetraplegic Claimant for lump sum of £1.25 million and stepped PPO of £265,000 to £345,000.

Lump sum included accommodation claim of £485,000.

Case settled on basis of lump sum of £830,000, PPO of £235,000 and insurers purchasing & adapting a bungalow, granting the Claimant a life tenancy for nominal rent.

Instructed by Defendant

Cass v Braintree Clinical Services

Joint Settlement Meeting

Claimant claimed damages in the sum of £850,000 arising out of alleged clinical negligence during arthroscopic surgery.

Damages agreed in the sum of £220,000.

Instructed by Defendant

Cronshaw v Harvey

Joint Settlement Meeting

Claimant's claim for damages for £3.4 million arising from a traumatic cerebral haemorrhage.

Complex causation issues. Damages agreed in the sum of £1.1 million.

Instructed by Defendant

NM v Borrett

Joint Settlement Meeting

Claimant's claim for damages arising out of severe traumatic brain injury. Claim for lump sum of £2.73 million plus PPO of £120,000.

Damages agreed on a lump sum basis in the sum of £3.02 million

Instructed by Defendant

Say v Bettley

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury and claimed damages of £2.6 million

The main issues at the JSM were the viability of a PPO and reverse indemnity in the context of partial local authority funding and an agreed liability apportionment

Damages agreed at £1.05 million lump sum

Instructed by Defendant

Mullett v Barratt Developments and Taylor Wimpey

Quantum Trial – 3 Days Claimant's claim for damages in the sum of £250,000 arising from orthopaedic injuries and alleged fibromyalgia.

Claim compromised at the conclusion of the Claimant's cross examination in the sum of £22,000 with no order as to costs.

Instructed by Defendant

Cooper v Shropshire County Council

Advising Defendant (Land Drainage Authority) and its insurers in proceedings for damages and mandatory injunction arising from damage caused by river flooding

Proceedings discontinued.

McDonald v Webb

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury and claimed damages of £1.3 million

The main issue at the JSM was the likelihood of the Claimant accepting care

Damages agreed at £850,000 lump sum

Instructed by Defendant

Platt v AMEC

Joint Settlement Meeting

Claimant sustained lower limb injury with significant chance of amputation and claimed damages of £2.05 million plus provisional damages

Damages agreed at £990,000 on a full and final basis

Instructed by Defendant

Smith v Carter International

Joint Settlement Meeting

Claimant sustained upper limb amputation and claimed damages of £1.7 million

The main issue at the JSM was the cost and provision of future prosthetics

Damages agreed at £1.14 million

Instructed by Defendant

Leslie v Marshall

Quantum trial - 4 days

Claimant sustained complex lower limb injuries

Damages assessed at £345,000 plus provisional damages, beating Defendant's Part 36 offer

Instructed by Claimant

Inquest - Keith Ruskin

Inquest - listed for 2 days

No criticism of health care and finding of death by natural causes

Instructed by the Treasury Solicitor

Inquest - Elizabeth Kerr

Inquest - listed for 3 weeks - 15 parties

Advised in conference on complex engineering issues and represented Integral at the Inquest
Regulation 28 letter - Report to Prevent Future Deaths - not sent to Integral
Instructed by the insurers of Integral Ltd

R v D

Joint Settlement Meeting

Claimant sustained lower limb amputation/complex upper limb injuries and claimed damages of £3.2 million, including the cost of a *BiOM* prosthesis

The main issues at the JSM were the cost and provision of future prosthetics, accommodation and care

Damages agreed at £1.47 million based on the *BiOM* prosthesis

Instructed by Claimant

Led by Chris Melton QC

Simmons v Houston

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury

Liability agreed at 65%

Quantum ongoing (in 2015)

Instructed by Claimant

Led by Richard Hartley QC

Wallace v Chief Constable Cleveland Police

Joint Settlement Meeting

Claimant sustained a traumatic brain injury when hit by a police vehicle in a high-speed pursuit

Damages agreed at £115,000 - 50% apportionment

Instructed by Defendant

Ingham v Wakeford

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury in a road traffic accident

Liability agreed at first JSM 2/3 – 1/3 apportionment in Claimant's favour

Damages agreed at second JSM £3 million lump sum + provisional damages subject to liability apportionment

Instructed by Claimant

Led by Richard Hartley QC

Mennell v Phones 4U Ltd

Joint Settlement Meeting

Claimant claimed damages arising from a pain syndrome in the sum of £3.5 million

Damages agreed at £750,000

Instructed by Defendant

Led by Richard Hartley QC

Williams v Town & City Pub Company and Toshiba

Joint Settlement Meeting Claimant claimed damages arising from a pain syndrome in the sum of £1.35 million

Damages agreed at £300,000 Recovery action against Third Party ongoing (in 2015)

Instructed by Defendant

Thornton v Mamedgasanov

Procedural hearing

Claimant claimed damages arising from a pain syndrome in the sum of £1.5 million

Damages agreed at £30,000 (with an agreement not to bring proceedings for contempt) following a procedural hearing as to the admissibility of surveillance evidence

Instructed by Defendant

Crane v TJ Morris

Joint Settlement Meeting

Claimant claimed damages arising from a pain syndrome in a sum exceeding £1 million

Damages agreed at £50,000 plus fixed sum costs

Instructed by Defendant

Wallbank v British Waterways

Claimant sustained serious lower limb injury

Damages agreed at £375,000 + provisional damages

Instructed by Claimant

Joint Settlement Meeting

Casterton v Laidlaw

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury in a road traffic accident

Damages agreed at £1.9 million lump sum + PPO of £75,000 + provisional damages

Instructed by Claimant

Led by Richard Hartley QC

Murphy v the Country Inn

Joint Settlement Meeting

Claimant sustained lower limb amputation and claimed damages of £1.15 million

Damages agreed at £325,000 to reflect liability issues

Instructed by Defendant

Roberts v Hughes

Joint Settlement Meeting

Claimant sustained injuries, which ended his football career and he claimed damages of £2.5 million

The main issue at the JSM was the statistical chance of the Claimant (who was an academy player at Shrewsbury Town FC) becoming a professional footballer

Damages agreed at £260,000

Instructed by Defendant

Tinker v Samkova

Joint Settlement Meeting

Fatal Accidents Act claim arising from a road traffic accident in the sum of £600,000

The main issue at the JSM was whether the deceased would have survived a cardiac arrest but for the RTA

Damages agreed at £125,000

Instructed by Defendant

Neely v Flybe and OCS

Liability trial

Claimant claimed damages under the Montreal Convention 1999 for injuries sustained whilst embarking an aircraft

Claim dismissed

Instructed by Second Defendant

Herriott v Kinsey

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury in a road traffic accident

Damages agreed at £1.5 million
Instructed by Claimant
Led by Winston Hunter QC

Ledwith v Shell Research and MDS

Summary judgment
Advising Defendant on "hold harmless" clause in contract with Third Party and drafting proceedings
Summary judgment entered for Defendant
Instructed by Defendant

S v B

Joint Settlement Meeting
Claimant sustained a catastrophic brain injury and claimed damages of £2.9 million
The main issues at the JSM were the likelihood of the Claimant accepting care and the viability of a PPO
Damages agreed at £1.4 million lump sum
Instructed by Defendant

Shah v British Midland Plc

Liability trial
Claimant claimed damages for injuries sustained during the course of her employment as an air stewardess, which caused her to retire on medical grounds
Claim discontinued after Claimant's evidence
Instructed by Defendant

Advent v Securiplex and First County

Advising Second Defendant as to the enforceability of a limitation clause limiting liability for Claimant's losses arising from theft
Claimant accepted the enforceability of the limitation clause

Inquest - David Sekonyela

Inquest - listed for 3 days
Death reportable to HSE and raising healthcare issues
Instructed by the widow of the deceased

Griffiths v Feaver

Liability trial - 3 days
Claimant sustained catastrophic injuries in a road traffic accident
Liability compromised on an 85% apportionment on day 3 of the trial
Damages subsequently agreed at a JSM in the sum of £1.53 million plus provisional damages
Instructed by Claimant
Led by Richard Hartley QC

Wilson & others v South Yorkshire Fire & Rescue Authority

Liability trial - 4 days
Fatal Accidents Act claim following gas explosion at a fire attended by SYFRA
Claim discontinued before trial
Instructed by Defendant

Hoogendoorn v Clarke

Joint Settlement Meeting
Fibromyalgia claim for C\$2.64 million for lost earnings as a lawyer in Canada
Damages agreed at £250,000
Instructed by Defendant

Led by James Rowley QC

Linkwise Sofa Dermatitis Group Litigation

Claim for personal injuries brought by 5,000 Claimants for exposure to DMF in furniture

GLO made by MacDuff J. in 2008 on Claimant's application

Negotiated settlement in 2010 with innovative damages matrix and claims handling agreement in respect of the 1,600 valid claims

All claims resolved by 2012.

Instructed by Defendant's insurers

Led by Michael Kent QC

Mescall v Stockport NHS Foundation Trust

JSM

Claim for damages following missed diagnosis of pyelonephritis

Settled at £430,000

Instructed by Claimant

Agius v Chong

Joint Settlement Meeting

Claimant sustained injuries, which ended his career in Thai Boxing and claimed damages of £1.05 million

The main issues at the JSM were the Claimant's likely career and earnings in the sport of Thai Boxing

Damages agreed at £650,000

Instructed by Defendant

Howard v Shipp

Joint Settlement Meeting

Claimant sustained catastrophic spinal and brain injuries in a road traffic accident

Damages agreed at £1.6 million

Instructed by Claimant

Led by Chris Melton QC

Ragg v Thorpe

Joint Settlement Meeting

Claimant sustained lower limb amputation and claimed damages of £1.8 million

Damages agreed at £1.05 million

Instructed by Defendant

Taylor v Fircroft Engineering

Quantum trial - 4 days

Claimant claimed damages of £500,000 for lost earnings in the oil and gas industry

Damages assessed at £90,000 - significantly lower than the Defendant's Part 36 offer

Instructed by Defendant

Sutton v Welch

Joint Settlement Meeting

Claimant sustained a catastrophic brain injury

Damages agreed at £1.03 million + provisional damages

Instructed by Claimant

Led by Richard Hartley QC

H v CICA

Appeal to CICA

Traumatic brain injury caused by shooting with air gun pellet

Appeal against award of £80,000
Awarded £460,000 on appeal

Membership

Professional Negligence Bar Association
Personal Injuries Bar Association

Qualifications

Bar Vocational Course (ICSL) 1998
LL.B (Hons) (Birmingham - 1997)